

REMARKS

Reconsideration and allowance of the present application are respectfully requested.

Claims 1, 2, 3 and 5 are pending in this application. Claim 1 has been amended. Claim 4 has been cancelled.

Claim 1 has been amended by essentially incorporating subject matter of claim 4. Claim 4 has been accordingly cancelled. No new matter has been added.

The applicants respectfully traverse the rejection of claims 1-4 on the ground of nonstatutory obviousness-type double patenting over claims 1 and 3-5 of copending Application No. 10/565,297. However, in order to expedite the prosecution of the present application, the applicants in accordance with the Office Action, enclose herewith a proper Terminal Disclaimer, signed by the agent of record in this application. Accordingly, withdrawal of the provisional rejection is respectfully requested.

The applicants enclose with this Amendment, an Information Disclosure Statement with attached PTO Form 1449 and copies of listed documents. Official entry and consideration is respectfully requested.

The applicants respectfully traverse the rejection of claims 1-5 under 35 USC 102(b) or alternatively 103(a) over Vogt.

The cited reference does not anticipate the presently claimed invention nor make it obvious.

Vogt teaches (as recognized in the Office Action, page 4, section 8) a conductive layer, which is formed on a substrate such as titanium oxide, that may essentially be free of other oxides or does not contain other oxides (see Vogt,

column 3, lines 45-49 and more generally, lines 35-49). Importantly, Vogt does not disclose or suggest the high purity of the titanium oxide substrate of the presently claimed invention (see amended claim 1 above).

Referring to the examples of the present application, the data for samples A-D presented in Tables 1 and 2 at pages 41 and 42, demonstrated that high TiO₂ purity provided satisfactory surface resistivities.

Accordingly, the applicants submit that the experimental data presented in the present application show the presently claimed electroconductive powders to distinguish over the conductive pigments of Vogt.

The presently claimed invention is fully allowable under both Section 102(b) and Section 103(a) in view of the cited reference.

In view of the above and the attached Terminal Disclaimer and Information Disclosure Statement, the applicants submit that the present application is in condition for allowance and a Notice to that effect is respectfully requested.

Respectfully submitted,

MANELLI DENISON & SELTER, PLLC

By Paul E. White, Jr.

Paul E. White, Jr.

Reg. No. 32,011

Tel. No.: (202) 261-1050

Fax No.: (202) 887-0336

2000 M Street, N.W.
Seventh Floor
Washington, D.C. 20036-3307
(202) 261-1000